

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOHN SCHULTE, *et al.*,

Plaintiffs

v.

C-1-08-758

FORD MOTOR COMPANY,

Defendant

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 21) to which neither party has objected.

Upon a *de novo* review of the record, the Court finds that the Judge has accurately set forth the applicable law and has properly applied it to the particular facts of this case. Accordingly, in the absence of any objections, this Court accepts the Report as uncontroverted.

The Report and Recommendation of the United States Magistrate Judge (doc. no. 21) is hereby **ADOPTED AND INCORPORATED HEREIN BY REFERENCE**. Plaintiff's Motion for Leave to File an Amended Complaint (doc. no. 18) is **GRANTED IN PART AND DENIED IN PART** as follows: Plaintiff's Motion for Leave to File an Amended Complaint dismissing Counts I and III of the original Complaint and adding a disability discrimination claim under Ohio Rev. Code § 4112 is **GRANTED**; and Plaintiff's Motion for Leave to File an Amended Complaint to include a common law claim of Constructive Termination of Employment is **DENIED**.

This case is **RECOMMITTED** to the United States Magistrate for further proceedings according to law.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court